

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

JAMES A. NICHOLS,

Plaintiff,

v.

Case No. 3:17-cv-01263-JPG-DGW

MANDIE BAGWELL, R. PASS, and CALEB  
MEYERS,

Defendants.

**MEMORANDUM AND ORDER**

**J. PHIL GILBERT, DISTRICT JUDGE**

This matter comes before the Court on the Report and Recommendation (“Report”) (Doc. 24) of Magistrate Judge Donald G. Wilkerson with regard to the defendants’ motion for summary judgment (Doc. 19) and the plaintiff’s motion to dismiss (Doc. 21). The Court may accept, reject, or modify—in whole or in part—the findings or recommendations of the magistrate judge in a report and recommendation. FED. R. CIV. P. 72(b)(3). The Court must review de novo the portions of the report to which objections are made. *Id.* “If no objection or only partial objection is made, the district court judge reviews those unobjected portions for clear error.” *Johnson v. Zema Sys. Corp.*, 170 F.3d 734, 739 (7th Cir. 1999).

Here the Court has received no objection to the Report. The Court has reviewed the Report for clear error and finds none. Accordingly, the Court:

- **ADOPTS** the Report in its entirety (Doc. 24);
- **GRANTS** the defendants’ motion for summary judgment (Doc. 19);
- **DENIES** the plaintiff’s motion to dismiss (Doc. 21);

- **DISMISSES** defendants Mandy Bagwell and Caleb Meyers **WITH PREJUDICE**;  
and
- **DIRECTS** the Clerk of Court to terminate Mandy Bagwell and Caleb Meyers as  
defendants in this case.

**IT IS SO ORDERED.**

**DATED: JUNE 5, 2018**

*s/ J. Phil Gilbert*  
**J. PHIL GILBERT**  
**DISTRICT JUDGE**